



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,531	03/07/2001	Watsaka Chuangsuvanish		3040

7590

03/14/2006

Gregory S. Rosenblatt
WIGGIN and DANA LLP
One Centry Tower
P.O.Box 1832
New Haven,, CT 06508

EXAMINER

CUFF, MICHAEL A

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,531

Applicant(s)

CHUANGSUVANISH, WATSAKA

Examiner

Michael Cuff

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,5,6,8,9 and 11-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2, 3, 5, 6, 8, 9, and 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 2, 3, 5, 6, 8, 9, and 11-16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 2, 5, and 8 recite limitations, which are grammatically and fundamentally incorrect. The limitation "to vary desired ones of said business components" is impossible. Earlier in the claims applicant interprets information by utilizing features of said business components. This makes sense in that features or values of the component "money" could be varied, but to vary the business component term itself is impossible.

The limitation "expressing said business component, money, as a financial report, thereby illustrating how a change to one or more of said business components affects said financial report." Does not make sense either. Money could be expressed – in a financial report--, but not as a financial report. Also, a financial report cannot show illustrate how a change to one or more of said business components affects said financial report without having a second financial report to compare to the first.

The above issues have been directed to claim 2, but they can be applied to claims 5 and 8, too.

Claims 3, 6, and 9 recite a natural phenomenon, which is not applicant's invention.

Claims 11-13 recite "elements of said business components that may be varied include: daily sales, monthly working days, ... " An element is a constituent part. Daily sales is not an element of any one "business component". For example, "daily sales" depends on the market and affects money, method, and man or machine. The same can be said for the rest of the eclectic list.

Claims 14-16 recite, "said financial report in dynamically reconciled in response to said user varying desired ones of said business components". Claim 14 is a method step dependent upon an apparatus claim. Said financial report is dynamically reconciled, not in dynamically reconciled. Varying desired ones of said business components was discussed above.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 5, 6, 8, 9, and 11-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For the same reason above for written description also makes the claims unclear.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 2, 3, 5, 6, 8, 9, and 11-13, as best understood by the examiner, are rejected under 35 U.S.C. 102(e) as being anticipate by Clancey et al.

The toolkit includes a knowledge base with a dictionary of domain-specific terms, which can be selected by a user to create and edit a report. The toolkit can also assemble predefined reports that can be customized with one or more editing tools (methods of application). The toolkit can be used to help frame, formulate, and interpret an analysis for common business purposes. (means for interpreting business information, helping) In the implementation described, the toolkit manages electronic spreadsheets using a knowledge base that represents how terms in domain-specific reports (i.e., financial statements) are related (reconciled). This toolkit enhances an

Excel spreadsheet by managing information and models and providing an interface between spreadsheets (cell and formulas, dynamic spreadsheet) and databases (inputs, data input unit). The toolkit provides a library of reusable components (objects, concepts) that contains definitions of numeric calculations in terms of business, organization, product, geographic, and time relations (5Ms). The toolkit allows a user to easily create a standardized report based upon a predefined template or to create an arbitrary, syntactically and semantically correct report from the terms contained within the built-in dictionary, which may be customized with user synonyms. The toolkit also creates an input spreadsheet that can be used to link all non-calculated cells appearing in a report to a user-supplied database. The input spreadsheet readily allows a user to perform what-if analyses.

Response to Arguments

1. Applicant's arguments filed 11/21/05 have been fully considered but they are not persuasive.

Applicant asserts that "Man" as a variable for a dynamic decision making tool. The examiner does not concur and finds it ironic that applicant would assert this because the examiner is not sure how applicant claims or enables this limitation. For the sake of argument, Clancey's toolkit provides a library of reusable components that contains definitions of numeric calculations in terms of business, organization, product, geographic, and time relations. The examiner is considering the organization to be the "Man".

Applicant asserts that the prior art is not useful to direct the decision maker to the optimum happiness for both customer and business owner. The examiner does not concur. The Clancey reference provides as much direction towards optimum happiness as applicant's claim language and enabled specification provide.

Conclusion

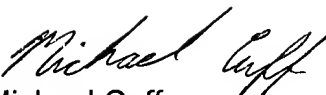
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cuff whose telephone number is (571) 272-6778. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 3/9/06
Michael Cuff
March 9, 2006